

United States District Court
District of North Dakota
Northwestern Division

Great West Casualty Company,

Plaintiff,

vs.

JUDGMENT IN A CIVIL CASE

Case No. 4:13-cv-012

National Casualty Company and Steve Heinis,

Defendant.

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- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.
- ☒ **Decision on Motion.** This action came before the Court on motion. The issues have been considered and a decision rendered.
- ☐ **Stipulation.** This action came before the court on motion of the parties. The issues have been resolved.
- ☐ **Dismissal.** This action was voluntarily dismissed by Plaintiff pursuant to Fed. R. Civ. P. 41(a)(1)(ii).

IT IS ORDERED AND ADJUDGED:

The court GRANTS Great West's motion for summary judgment (Doc. No. 18) and DENIES National's motion for summary judgment (Doc. No. 22). The court further DECLARES and ADJUDGES that defendant Heinis has coverage under National's policy up to its limits for any liability arising out of the accident on June 18, 2011, which caused injury to Avery's employee, Miller, and does not have coverage under Great West's policy.

Date: October 9, 2014

ROBERT J. ANSLEY, CLERK OF COURT

by: /s/ Jeanene Thompson, Deputy Clerk